

REMARKS

Claims 1, 2, 5-19 and 22-24 were examined and reported in the Office Action. Claims 1, 2, 5-19 and 22-24 are rejected. Claims 1, 7-9, 17 and 19 are amended. Claims 1-2, 5-19 and 22-24 remain.

Applicant requests reconsideration of the application in view of the following remarks.

I. 35 U.S.C. § 103(a)

A. It is asserted in the Office Action that claims 1, 2, 5, 6, 10-16, 19 and 22-24 are rejected in the Office Action under 35 U.S.C. 103(a) as being unpatentable over U. S. Publication 2003/0072320 issued to Seo et al. ('Seo') in view of U. S. Patent 7,110,732 issued to Mostafa et al ("Mostafa"). Applicant respectfully traverses the aforementioned rejection for the following reasons.

According to MPEP §2142

[t]he key to supporting any rejection under 35 U.S.C. 103 is the clear articulation of the reason(s) why the claimed invention would have been obvious. The Supreme Court in *KSR International Co. v. Teleflex Inc.*, 550 U.S. ___, ___, 82 USPQ2d 1385, 1396 (2007) noted that the analysis supporting a rejection under 35 U.S.C. 103 should be made explicit. The Federal Circuit has stated that 'rejections on obviousness cannot be sustained with mere conclusory statements; instead there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.' *In re Kahn*, 441 F.3d 977, 988, 78 USPQ2d 1329, 1336 (Fed. Cir. 2006). See also *KSR*, 550 U.S. at ___, 82 USPQ2d at 1396 (quoting Federal Circuit statement with approval).

Further, according to MPEP §2143, "[T]he Supreme Court in *KSR International Co. v. Teleflex, Inc.* 550 U.S. ___, ___, 82 USPQ2d 1395-1397 (2007) identified a number of rationales to support a conclusion of obviousness which are consistent with the proper "functional approach" to the determination of obviousness as laid down in *Graham*." Further, according to MPEP §2143.01, [o]bviousness can be established by combining or modifying the teachings of

the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so. *In re Kahn*, 441 F.3d 977, 988, 78 USPQ2d 1329, 1335 (Fed. Cir. 2006). Further, “[t]he mere fact that references can be combined or modified does not render the resultant combination obvious unless the results would have been predictable to one of ordinary skill in the art.” *KSR International Co. v. Teleflex, Inc.* 550 U.S. ___, ___, 82 USPQ2d 1385, 1396 (2007). Additionally, according to MPEP §2143

[a] statement that modification of the prior art to meet the claimed invention would have been “well within the ordinary skill of the art at the time the claimed invention was made” because the references relied upon teach that all aspects of the claimed invention were individually known in the art is not sufficient to establish *prima facie* case of obviousness without some objective reason to combine the teachings of the references. *Ex parte Levengood*, 28 USPQ2d 1300 (Pat. App. & Inter. 1993).

Seo discloses a direct conversion receiver that supports multiple standards. Seo discloses multiple duplexers that are used for different standards to cancel unnecessary out-of-band signals. Mostafa is relied on in the Office Action for disclosing that an RF signal is converted to an IF and then converted to the base band.

Even if Seo and Mostafa are combined, however, the resulting invention would still not teach, disclose or suggest Applicant’s amended claim 1 limitations of “the receiver filter building block including a first multiplexer for supporting filter coefficients for the multiple communication standards simultaneously, and a second multiplexer only used for inconsecutive long filter coefficients” nor Applicant’s amended claim 19 limitations of “combining inconsecutive coefficients of the receiver filter having the longest length to which coefficients for two consecutive orders of the receiver filter having a relatively small length are allocated.” (See Applicant’s specification, paragraphs [0062-0064], Fig. 6).

Further, the assertions made in the Office Action on pages 3-4 that lead to a conclusion of obviousness are not explicit and the basic requirements of an articulated rationale under MPEP 2143 cannot be found. Additionally, since neither Seo, Mostafa, and therefore, nor the combination of the two, teach, disclose or suggest all the limitations of Applicant's amended

claims 1 and 19, Applicant's amended claims 1 and 19 are not obvious over Seo in view of Mostafa since a *prima facie* case of obviousness has not been met under MPEP §2142.

Additionally, the claims that directly or indirectly depend from amended claims 1 and 19, namely claims 2, 5, 6 and 10-16, and 22-24, respectively, would also not be obvious over Seo in view of Mostafa for the same reason.

Accordingly, withdrawal of the 35 U.S.C. § 103(a) rejections for claims 1, 2, 5, 6, 10-16, 19 and 22-24 are respectfully requested.

B. It is asserted in the Office Action that claims 7-9 are rejected in the Office Action under 35 U.S.C. 103(a) as being unpatentable over U. S. Publication 2003/0072320 issued to Seo et al (“Seo”) in view of Mostafa. Applicant respectfully traverses the aforementioned rejection for the following reasons.

Applicant’s claims 7-9 indirectly depend on amended claim 1. Applicant has addressed Seo in view of Mustafa regarding amended claim 1 above in section I(A). Murakami is relied on for disclosing the basic structure of a conventional discrete filter for removing distortion caused by fading.

Even if Seo, Mostafa and Murakami are combined, however, the resulting invention would still not teach, disclose or suggest Applicant’s amended claim 1 limitations of “the receiver filter building block including a first multiplexer for supporting filter coefficients for the multiple communication standards simultaneously, and a second multiplexer only used for inconsecutive long filter coefficients.” (See Applicant’s specification, paragraphs [0062-0064], Fig. 6).

Further, the assertions made in the Office Action on pages 4-5 that lead to a conclusion of obviousness are not explicit and the basic requirements of an articulated rationale under MPEP 2143 cannot be found. Additionally, since neither Seo, Mostafa, Murakami, and therefore, nor the combination of the three, teach, disclose or suggest all the limitations of Applicant's amended claim 1, Applicant's amended claim 1 is not obvious over Seo in view of Mostafa and further in view of Murakami since a *prima facie* case of obviousness has not been met under MPEP §2142.

Additionally, the claims that indirectly depend from amended claim 1, namely claims 7-9, would also not be obvious over Seo in view of Mostafa and further in view of Murakami for the same reason.

Accordingly, withdrawal of the 35 U.S.C. § 103(a) rejections for claims 7-9 are respectfully requested.

C. It is asserted in the Office Action that claims 17 and 18 are rejected in the Office Action under 35 U.S.C. 103(a) as being unpatentable over Seo in view of U. S. Patent 6,678,317 issued to Murakami et al (“Murakami”). Applicant respectfully traverses the aforementioned rejection for the following reasons.

As discussed above, Seo discloses a direct conversion receiver that supports multiple standards and Murakami discloses the basic structure of a conventional discrete filter. Even if Seo and Murakami are combined, however, the resulting invention would still not teach, disclose or suggest Applicant’s amended claim 17 limitations of “a first multiplexer for supporting filter coefficients for multiple communication standards having different radio frequencies and different bandwidths simultaneously; a second multiplexer only used for inconsecutive long filter coefficients.” (See Applicant’s specification, paragraphs [0062-0064], Fig. 6).

Further, the assertions made in the Office Action on page 6 that lead to a conclusion of obviousness are not explicit and the basic requirements of an articulated rationale under MPEP 2143 cannot be found. Additionally, since neither Seo, Murakami, and therefore, nor the combination of the two, teach, disclose or suggest all the limitations of Applicant's amended claim 17, Applicant's amended claim 17 is not obvious over Seo in view of Murakami since a *prima facie* case of obviousness has not been met under MPEP §2142. Additionally, the claim that directly depends from amended claim 17, namely claim 18, would also not be obvious over Seo in view of Murakami for the same reason.

Accordingly, withdrawal of the 35 U.S.C. § 103(a) rejections for claims 17 and 18 are respectfully requested.

CONCLUSION

In view of the foregoing, it is submitted that claims 1-2, 5-19 and 22-24 patentably define the subject invention over the cited references of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes a telephone conference would be useful in moving the case forward, he is encouraged to contact the undersigned at (310) 207-3800.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly, extension of time fees.

Respectfully submitted,

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/Steven Laut/

Dated: November 2, 2007

By: _____
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CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below to the United States Patent and Trademark Office.

/Jean Svoboda/

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Date: November 2, 2007